

§ 622.407

Point	North lat.	West long.
A	25°17'23.008"	80°12'40.000"
B	25°17'23.008"	80°12'49.997"
C	25°17'33.005"	80°12'49.997"
D	25°17'33.005"	80°12'40.000"
A	25°17'23.008"	80°12'40.000"

(54) Lobster Trap Gear Closed Area 54.

Point	North lat.	West long.
A	25°20'57.996"	80°09'50.000"
B	25°20'57.996"	80°10'00.000"
C	25°21'07.005"	80°10'00.000"
D	25°21'07.005"	80°09'50.000"
A	25°20'57.996"	80°09'50.000"

(55) Lobster Trap Gear Closed Area 55.

Point	North lat.	West long.
A	25°21'45.004"	80°09'51.998"
B	25°21'38.124"	80°09'56.722"
C	25°21'49.124"	80°10'12.728"
D	25°21'56.004"	80°10'07.997"
A	25°21'45.004"	80°09'51.998"

(56) Lobster Trap Gear Closed Area 56.

Point	North lat.	West long.
A	25°21'49.000"	80°09'21.999"
B	25°21'49.000"	80°09'31.996"
C	25°21'58.998"	80°09'31.996"
D	25°21'58.998"	80°09'21.999"
A	25°21'49.000"	80°09'21.999"

(57) Lobster Trap Gear Closed Area 57.

Point	North lat.	West long.
A	25°24'31.008"	80°07'36.997"
B	25°24'31.008"	80°07'48.999"
C	25°24'41.005"	80°07'48.999"
D	25°24'41.005"	80°07'36.997"
A	25°24'31.008"	80°07'36.997"

(58) Lobster Trap Gear Closed Area 58.

Point	North lat.	West long.
A	25°25'14.005"	80°07'27.995"
B	25°25'14.005"	80°07'44.001"
C	25°25'26.008"	80°07'44.001"
D	25°25'26.008"	80°07'27.995"
A	25°25'14.005"	80°07'27.995"

(59) Lobster Trap Gear Closed Area 59.

Point	North lat.	West long.
A	25°35'13.996"	80°05'39.999"
B	25°35'13.996"	80°05'50.999"
C	25°35'24.007"	80°05'50.999"
D	25°35'24.007"	80°05'39.999"

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Point	North lat.	West long.
A	25°35'13.996"	80°05'39.999"

(60) Lobster Trap Gear Closed Area 60.

Point	North lat.	West long.
A	25°40'57.003"	80°05'43.000"
B	25°40'57.003"	80°05'54.000"
C	25°41'06.550"	80°05'53.980"
D	25°41'18.136"	80°05'49.158"
E	25°41'18.001"	80°05'43.000"
A	25°40'57.003"	80°05'43.000"

(b) [Reserved]

§ 622.407 Minimum size limits and other harvest limitations.

(a) *Minimum size limits.* (1) Except as provided in paragraph (c) of this section—

(i) No person may possess a spiny lobster in or from the EEZ with a carapace length of 3.0 inches (7.62 cm) or less; and

(ii) A spiny lobster, harvested in the EEZ by means other than diving, with a carapace length of 3.0 inches (7.62 cm) or less must be returned immediately to the water unharmed.

(2) No person may harvest or attempt to harvest a spiny lobster by diving in the EEZ unless he or she possesses, while in the water, a measuring device capable of measuring the carapace length. A spiny lobster captured by a diver must be measured in the water using such measuring device and, if the spiny lobster has a carapace length of 3.0 inches (7.62 cm) or less, it must be released unharmed immediately without removal from the water.

(3) Aboard a vessel authorized under paragraph (d) of this section to possess a separated spiny lobster tail, no person may possess in or from the EEZ a separated spiny lobster tail with a tail length less than 5.5 inches (13.97 cm).

(b) *Berried lobsters.* A berried (egg-bearing) spiny lobster in or from the EEZ must be returned immediately to the water unharmed. If found in a trap in the EEZ, a berried spiny lobster may not be retained in the trap. A berried spiny lobster in or from the EEZ may not be stripped of its eggs or otherwise molested. The possession of a spiny lobster, or part thereof, in or from the EEZ from which eggs, swimmerettes,

or pleopods have been removed or stripped is prohibited.

(c) *Undersized attractants.* A live spiny lobster under the minimum size limit specified in paragraph (a)(1) of this section that is harvested in the EEZ by a trap may be retained aboard the harvesting vessel for future use as an attractant in a trap provided it is held in a live well aboard the vessel. No more than fifty undersized spiny lobsters, and one per trap aboard the vessel, whichever is greater, may be retained aboard for use as attractants. The live well must provide a minimum of $\frac{3}{4}$ gallons (1.7 liters) of seawater per spiny lobster. An undersized spiny lobster so retained must be released to the water alive and unharmed immediately upon leaving the trap lines and prior to one hour after official sunset each day. No more than fifty undersized spiny lobsters and one per trap aboard the vessel, may be retained aboard for use as attractants.

(d) *Tail separation.* (1) The possession aboard a fishing vessel of a separated spiny lobster tail in or from the EEZ, is authorized only when the possession is incidental to fishing exclusively in the EEZ on a trip of 48 hours or more and a valid Federal tail-separation permit, and either a valid Federal vessel permit for spiny lobster or a valid Florida Saltwater Products License with a valid Florida Restricted Species Endorsement and a valid Crawfish Endorsement, as specified in § 622.400(a)(2), has been issued to and are on board the vessel.

(2) Spiny lobster must be landed either all whole or all tailed on a single fishing trip.

§ 622.408 Bag/possession limits.

(a) *EEZ off the southern Atlantic states, other than Florida.* The daily bag or possession limit for spiny lobster in or from the EEZ off the southern Atlantic states, other than Florida, is two per person for commercial and recreational fishing, year-round.

(b) *EEZ off Florida and off the Gulf states, other than Florida—*(1) *Commercial and recreational fishing season.* Except as specified in paragraphs (b)(3) and (b)(4) of this section, during the commercial and recreational fishing season specified in § 622.403(b)(1), the daily bag

or possession limit of spiny lobster in or from the EEZ off Florida and off the Gulf states, other than Florida, is six per person.

(2) *Special recreational fishing seasons.* During the special recreational fishing seasons specified in § 622.403(b)(2), the daily bag or possession limit of spiny lobster—

(i) In or from the EEZ off the Gulf states, other than Florida, is six per person;

(ii) In or from the EEZ off Florida other than off Monroe County, Florida, is twelve per person; and

(iii) In or from the EEZ off Monroe County, Florida, is six per person.

(3) *Exemption from the bag/possession limit.* During the commercial and recreational fishing season specified in § 622.403(b)(1), a person is exempt from the bag and possession limit specified in paragraph (b)(1) of this section, provided—

(i) The harvest of spiny lobsters is by diving, or by the use of a bully net, hoop net, or spiny lobster trap; and

(ii) The vessel from which the person is operating has on board the required licenses, certificates, or permits, as specified in § 622.400(a)(1).

(4) *Harvest by net or trawl.* During the commercial and recreational fishing season specified in § 622.403(b)(1), aboard a vessel with the required licenses, certificates, or permits specified in § 622.400(a)(1) that harvests spiny lobster by net or trawl or has on board a net or trawl, the possession of spiny lobster in or from the EEZ off Florida and off the Gulf states, other than Florida, may not exceed at any time 5 percent, whole weight, of the total whole weight of all fish lawfully in possession on board such vessel. If such vessel lawfully possesses a separated spiny lobster tail, the possession of spiny lobster in or from the EEZ may not exceed at any time 1.6 percent, by weight of the spiny lobster or parts thereof, of the total whole weight of all fish lawfully in possession on board such vessel. For the purposes of this paragraph (b)(4), the term “net or trawl” does not include a hand-held net, a loading or dip net, a bully net, or a hoop net.